

INITIATIVE 670

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 670 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to congressional term limits; and adding a new
2 chapter to Title 44 RCW.

3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The people of the State of Washington want
5 to amend the United States Constitution to establish term limits on
6 Congress that will ensure representation in Congress by true citizen
7 lawmakers. The President of the United States is limited by the XXII
8 Amendment of the United States Constitution to two terms in office.
9 Governors in forty states are limited to two terms or less. Voters
10 have established term limits for over two thousand state legislators as
11 well as over seventeen thousand local officials across the country,
12 including state legislators in Washington.

13 Nevertheless, Congress has ignored our desire for term limits not
14 only by proposing excessively long terms for its own members but also
15 by refusing to pass an amendment for genuine congressional term limits.
16 Congress has a clear conflict of interest in proposing a term limits
17 amendment to the United States Constitution. A majority of both
18 Republicans and Democrats in the 104th Congress voted against a

1 constitutional amendment containing the term limits passed by a wide
2 margin of Washington voters.

3 The people, not Congress, should set term limits. We hereby
4 establish as the official position of the citizens and State of
5 Washington that our elected officials should enact by constitutional
6 amendment congressional term limits of three terms in the United States
7 House of Representatives, and of two terms in the United States Senate.

8 The career politicians dominating Congress have a conflict of
9 interest that prevents Congress from being what the founders intended,
10 the branch of government closest to the people. The politicians have
11 refused to heed the will of the people for term limits; they have voted
12 to dramatically raise their own pay; they have provided lavish million-
13 dollar pensions for themselves; and they have granted themselves
14 numerous other privileges at the expense of the people. Most
15 importantly, members of Congress have enriched themselves while running
16 up huge deficits to support their spending. They have put the
17 government nearly \$5,000,000,000,000.00 (five trillion dollars) in
18 debt, gravely threatening the future of our children and grandchildren.

19 The corruption and appearance of corruption brought about by
20 political careerism is destructive to the proper functioning of the
21 first branch of our representative government. Congress has grown
22 increasingly distant from the people of the states. The people have
23 the sovereign right and a compelling interest in creating a citizen
24 Congress that will more effectively protect our freedom and prosperity.
25 This interest and right may not effectively be served in any way other
26 than that proposed by this initiative.

27 We hereby state our intention on behalf of the people of
28 Washington, that this initiative lead to the adoption of the following
29 United States constitutional amendment:

30 "CONGRESSIONAL TERM LIMITS AMENDMENT

31 Section 1. No person shall serve in the office of United
32 States Representative for more than three terms, but upon
33 ratification of this amendment no person who has held the office of
34 United States Representative or who then holds the office shall
35 serve for more than two additional terms.

36 Section 2. No person shall serve in the office of United
37 States Senator for more than two terms, but upon ratification of
38 this amendment no person who has held the office of United States

1 Senator or who then holds the office shall serve for more than one
2 additional term.

3 Section 3. This article shall have no time limit within
4 which it must be ratified by the legislatures of three-fourths of
5 the several states."

6 Therefore, we, the people of the State of Washington, have chosen
7 to adopt this initiative to inform voters regarding incumbent and
8 nonincumbent federal and state candidates' support for the above
9 proposed CONGRESSIONAL TERM LIMITS AMENDMENT.

10 NEW SECTION. **Sec. 2.** (1) We, the voters of Washington, hereby
11 instruct each member of the Washington State congressional delegation
12 to use all of his or her delegated powers to pass the Congressional
13 Term Limits Amendment set forth in section 1 of this act.

14 (2) All primary and general election ballots shall have printed the
15 information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" adjacent to
16 the name of any United States Senator or Representative who:

17 (a) Fails to vote in favor of the proposed Congressional Term
18 Limits Amendment set forth in section 1 of this act when brought to a
19 vote;

20 (b) Fails to second the proposed Congressional Term Limits
21 Amendment set forth in section 1 of this act if it lacks for a second
22 before any proceeding of the legislative body;

23 (c) Fails to propose or otherwise bring to a vote of the full
24 legislative body the proposed Congressional Term Limits Amendment set
25 forth in section 1 of this act if it otherwise lacks a legislator who
26 so proposes or brings to a vote of the full legislative body the
27 proposed Congressional Term Limits Amendment set forth in section 1 of
28 this act;

29 (d) Fails to vote in favor of all votes bringing the proposed
30 Congressional Term Limits Amendment set forth in section 1 of this act
31 before any committee or subcommittee of the respective house upon which
32 he or she serves;

33 (e) Fails to reject any attempt to delay, table, or otherwise
34 prevent a vote by the full legislative body of the proposed
35 Congressional Term Limits Amendment set forth in section 1 of this act;

36 (f) Fails to vote against any proposed constitutional amendment
37 that would establish longer term limits than those in the proposed
38 Congressional Term Limits Amendment set forth in section 1 of this act

1 regardless of any other actions in support of the proposed
2 Congressional Term Limits Amendment set forth in section 1 of this act;

3 (g) Sponsors or cosponsors any proposed constitutional amendment or
4 law that would increase term limits beyond those in the proposed
5 Congressional Term Limits Amendment set forth in section 1 of this act;
6 or

7 (h) Fails to ensure that all votes on congressional term limits are
8 recorded and made available to the public.

9 (3) The information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS"
10 shall not appear adjacent to the name of any incumbent candidates for
11 Congress if the Congressional Term Limits Amendment set forth in
12 section 1 of this act is before the states for ratification or has
13 become part of the United States Constitution.

14 NEW SECTION. **Sec. 3.** (1) Nonincumbent candidates for United
15 States Senator and Representative and the Washington House and Senate
16 shall be given an opportunity to take a "Term Limits Pledge" regarding
17 term limits each time he or she files to run for such office. Any such
18 candidate who declines to take the term limits pledge shall have the
19 information "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed
20 adjacent to his or her name on every primary and general election
21 ballot.

22 (2) The term limits pledge shall be offered to nonincumbent
23 candidates for United States Senator and Representative and the
24 Washington House and Senate until a constitutional amendment that
25 limits the number of terms of United States Senators to no more than
26 two and of United States Representatives to no more than three becomes
27 part of the United States Constitution.

28 (3) The term limits pledge that each nonincumbent candidate shall
29 be offered is as follows:

30 "I support term limits and pledge to use all my legislative powers
31 to enact the proposed constitutional amendment set forth in the Term
32 Limits Act of 1996. If elected, I pledge to vote in such a way that
33 the designation "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" will not
34 appear adjacent to my name.

35 _____"

36 Signature of Candidate

1 NEW SECTION. **Sec. 4.** (1) We, the voters of Washington, hereby
2 instruct each member of the Washington House of Representatives and
3 Senate to use all of his or her delegated powers to pass the Article V
4 application to Congress set forth in subsection (2) of this section,
5 and to ratify, if proposed, the Congressional Term Limits Amendment set
6 forth in section 1 of this act.

7 (2) Application:

8 "We, the people and legislature of the State of Washington, due to
9 our desire to establish term limits on Congress, hereby make
10 application to Congress, pursuant to our power under Article V of the
11 United States Constitution, to call a convention for proposing
12 amendments to the Constitution.

13 (3) All primary and general election ballots shall have the
14 information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" printed
15 adjacent to the name of any respective member of the Washington House
16 of Representatives or Senate who:

17 (a) Fails to vote in favor of the application set forth in
18 subsection (2) of this section when brought to a vote;

19 (b) Fails to second the application set forth in subsection (2) of
20 this section if it lacks for a second;

21 (c) Fails to vote in favor of all votes bringing the application
22 set forth in subsection (2) of this section before any committee or
23 subcommittee upon which he or she serves;

24 (d) Fails to propose or otherwise bring to a vote of the full
25 legislative body the application set forth in subsection (2) of this
26 section if it otherwise lacks a legislator who so proposes or brings to
27 a vote of the full legislative body the application set forth in
28 subsection (2) of this section;

29 (e) Fails to vote against any attempt to delay, table, or otherwise
30 prevent a vote by the full legislative body of the application set
31 forth in subsection (2) of this section;

32 (f) Fails in any way to ensure that all votes on the application
33 set forth in subsection (2) of this section are recorded and made
34 available to the public;

35 (g) Fails to vote against any change, addition, or modification to
36 the application set forth in subsection (2) of this section;

37 (h) Fails to vote in favor of the amendment set forth in subsection
38 (2) of this section if it is sent to the states for ratification; or

1 (i) Fails to vote against any term limits amendment with longer
2 terms if such an amendment is sent to the states for ratification.

3 (4) The information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS"
4 shall not appear adjacent to the names of candidates for the Washington
5 House of Representatives or Senate as required by any of subsection (3)
6 (a) through (g) of this section if the State of Washington has made an
7 application to Congress for a convention for proposing amendments to
8 the Constitution pursuant to this law and such application has not been
9 withdrawn or, the Congressional Term Limits Amendment set forth in
10 section 1 of this act has been submitted to the states for
11 ratification.

12 (5) The information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS"
13 shall not appear adjacent to the names of candidates for the Washington
14 House of Representatives or Senate as required by any of subsection (3)
15 (h) and (i) of this section if the State of Washington has ratified the
16 proposed Congressional Term Limits Amendment set forth in section 1 of
17 this act.

18 (6) The information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS"
19 shall not appear adjacent to the names of candidates for the Washington
20 House of Representatives or Senate as required by any of subsection (3)
21 (a) through (i) of this section if the proposed Congressional Term
22 Limits Amendment set forth in section 1 of this act has become part of
23 the United States Constitution.

24 NEW SECTION. Sec. 5. (1) The secretary of state is responsible to
25 make an accurate determination as to whether a candidate for the
26 federal or state legislature shall have placed adjacent to his or her
27 name on the election ballot the information "DISREGARDED VOTER
28 INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM
29 LIMITS."

30 (2) The secretary of state shall consider timely submitted public
31 comments prior to making the determination required in subsection (1)
32 of this section and may rely on such comments and any information
33 submitted by the candidates in making the determination required in
34 subsection (1) of this section.

35 (3) The secretary of state, in accordance with subsection (1) of
36 this section, shall determine and declare what information, if any,
37 shall appear adjacent to the names of each incumbent federal legislator
38 if he or she were to be a candidate in the next election. In the case

1 of United States Representatives and United States Senators, this
2 determination and declaration shall be made in a fashion necessary to
3 ensure the orderly printing of primary and general election ballots
4 with allowance made for all legal action provided in subsections (5)
5 and (6) of this section, and shall be based upon each member of
6 Congress' action during his or her current term of office and any
7 action taken in any concluded term, if such action was taken after the
8 determination and declaration was made by the secretary of state in a
9 previous election. In the case of incumbent state legislators, this
10 determination and declaration shall be made not later than thirty days
11 after the end of the regular session following each general election,
12 and shall be based upon legislative action in the previous regular
13 session and any action taken in any concluded term, if such action was
14 taken after the determination and declaration was made by the secretary
15 of state in a previous election. The secretary of state shall not
16 consider any action taken by any state or federal legislator prior to
17 the enactment of this act.

18 (4) The secretary of state shall determine and declare what
19 information, if any, will appear adjacent to the names of nonincumbent
20 candidates for the state and federal legislatures, not later than five
21 business days after the deadline for filing for the office.

22 (5) If the secretary of state makes the determination that the
23 information "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" or "DECLINED
24 TO PLEDGE TO SUPPORT TERM LIMITS" shall not be placed on the ballot
25 adjacent to the name of a candidate for the federal or state
26 legislature, any elector may appeal such decision within five business
27 days to the Washington supreme court as an original action or shall
28 waive any right to appeal such decision; in which case the burden of
29 proof shall be upon the secretary of state to demonstrate by clear and
30 convincing evidence that the candidate has met the requirements set
31 forth in this chapter and therefore should not have the information
32 "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE
33 TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the
34 candidate's name.

35 (6) If the secretary of state determines that the information
36 "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE
37 TO SUPPORT TERM LIMITS" shall be placed on the ballot adjacent to a
38 candidate's name, the candidate may appeal such decision within five
39 business days to the Washington supreme court as an original action or

1 shall waive any right to appeal such decision, in which case the burden
2 of proof shall be upon the candidate to demonstrate by clear and
3 convincing evidence that he or she should not have the information
4 "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE
5 TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the
6 candidate's name.

7 (7) The supreme court shall hear the appeal provided for in
8 subsection (5) of this section and issue a decision within sixty days.
9 The supreme court shall hear the appeal provided for in subsection (6)
10 of this section and issue a decision not later than sixty-one days
11 before the date of the election.

12 NEW SECTION. **Sec. 6.** At such time as the Congressional Term
13 Limits Amendment set forth in section 1 of this act has become part of
14 the United States Constitution, this chapter automatically shall
15 expire.

16 NEW SECTION. **Sec. 7.** Any legal challenge to this chapter shall be
17 filed as an original action before the supreme court of this state.

18 NEW SECTION. **Sec. 8.** This act shall be known and cited as the
19 Term Limits Act of 1996.

20 NEW SECTION. **Sec. 9.** If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act shall
25 constitute a new chapter in Title 44 RCW.

--- END ---